

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

TRAVIS CENTELL BROWN

PLAINTIFF

v.

CASE NO. 3:15CV00054 BSM

**CITY OF OSCEOLA, ARKANSAS
POLICE DEPARTMENT**

DEFENDANT

ORDER

Defendant City of Osceola police department's ("the department") motion to dismiss [Doc. No. 11] is granted.

Federal Rule of Civil Procedure 12(b)(6) permits dismissal when the plaintiff fails to state a claim upon which relief can be granted. To meet the 12(b)(6) standard, a complaint must sufficiently allege facts that will entitle the plaintiff to the relief sought. *See Ashcroft v. Iqbal*, 556 U.S. 662, 663 (2009). Although detailed factual allegations are not required, threadbare recitals of the elements of a cause of action, supported by mere conclusory statements, are insufficient. *Id.*

Plaintiff Travis Centell Brown is suing the department for mental anguish and suffering. On May 20, 2015, the department filed a motion to dismiss, contending that Brown's claims are vague, and duplicative of claims he brought in another action. The time to respond has passed, and Brown has not addressed the department's motion. Thus, Brown's failure to respond is viewed as consent to the motion, and this case is hereby dismissed with prejudice.

IT IS SO ORDERED this 21st day of July 2015.


UNITED STATES DISTRICT JUDGE